

INSPECTIONS AND APPEALS DEPARTMENT[481]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 10A.104(5) and 135C.14, the Department of Inspections and Appeals hereby gives Notice of Intended Action to amend Chapter 57, “Residential Care Facilities,” Chapter 58, “Nursing Facilities,” Chapter 62, “Residential Care Facilities for Persons with Mental Illness (RCF/PMI),” Chapter 63, “Residential Care Facilities for the Intellectually Disabled,” and Chapter 65, “Intermediate Care Facilities for Persons with Mental Illness (ICF/PMI),” Iowa Administrative Code.

Currently, Iowa Code chapter 155A, Iowa Administrative Code rule 657—8.32(124,155A), and 2013 Iowa Acts, Senate File 353, give pharmacists some authority to administer certain immunizations. The Department’s rules limit the administration of injectable medications to qualified nurses or physicians. The proposed amendments allow pharmacists to administer injectable medications as permitted by Iowa law.

The Department does not believe that the proposed amendments impose any financial hardship on any regulated entity, body, or individual.

The State Board of Health reviewed the proposed amendments at its July 10, 2013, meeting.

Any interested person may make written suggestions or comments on the proposed amendments on or before August 27, 2013. Such written materials should be addressed to the Director, Department of Inspections and Appeals, Lucas State Office Building, 321 East 12th Street, Des Moines, Iowa 50319-0083; faxed to (515)242-6863; or e-mailed to david.werning@dia.iowa.gov.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 135C.14.

The following amendments are proposed.

ITEM 1. Amend paragraph **57.19(3)“h”** as follows:

h. Injectable medications shall be administered as permitted by Iowa law by a qualified nurse, ~~or~~ physician, or pharmacist.

ITEM 2. Amend paragraph **58.21(15)“a”** as follows:

a. Injectable medications shall ~~not~~ be administered as permitted by Iowa law by ~~anyone other than~~ a qualified nurse, ~~or~~ physician, or pharmacist. In the case of a resident who has been certified by the resident’s physician as capable of taking the resident’s own insulin, the resident may inject the resident’s own insulin. (II)

ITEM 3. Amend paragraph **62.15(2)“j”** as follows:

j. Injectable medications shall be administered as permitted by Iowa law by a qualified nurse, ~~or~~ physician, or pharmacist.

ITEM 4. Amend paragraph **63.18(3)“i”** as follows:

i. Injectable medications shall be administered as permitted by Iowa law by a qualified nurse, ~~or~~ physician, or pharmacist.

ITEM 5. Amend paragraph **65.17(1)“i”** as follows:

i. Injectable medications shall ~~not~~ be administered as permitted by Iowa law by ~~anyone other than a prescriber or licensed~~ a qualified nurse, physician, or pharmacist ~~except when residents have been certified by a physician as capable of taking their insulin. When~~ In the case of a resident who has been

certified by the resident's physician as capable of taking the resident's own insulin, the resident may prepare and inject the resident's own insulin. (II)

ITEM 6. Amend paragraph **67.5(6)“a”** as follows:

a. The administration of medications shall be provided by a registered nurse, licensed practical nurse or advanced registered nurse practitioner registered in Iowa or by ~~unlicensed assistive personnel certified and noncertified staff~~ in accordance with ~~requirements in 655—Chapter 6 governing nurse delegation~~ subrule 67.9(5). Injectable medications shall be administered as permitted by Iowa law by a registered nurse, licensed practical nurse, advanced registered nurse practitioner, physician or pharmacist.